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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
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17 LTTB LLC, a California limited liability
18 company,
19 Plaintiff,
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21 v.
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23 REDBUBBLE, INC., a Delaware corporation,
24 Defendant.
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Case No.: 3:18-cv-509

**COMPLAINT FOR TRADEMARK
COUNTERFEITING, TRADEMARK
INFRINGEMENT, UNFAIR
COMPETITION AND FALSE
DESIGNATION OF ORIGIN, AND
CONTRIBUTORY TRADEMARK
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff LTTB LLC (“LTTB”) by and for its complaint against Defendant Redbubble, Inc.
 2 (“Redbubble”) alleges as follows:

3 INTRODUCTION

4 1. LTTB founder Elektra Printz Gorski (“Gorski”) is an artist, entrepreneur, and
 5 designer who has been designing, manufacturing, and selling apparel and other goods under the
 6 LETTUCE TURNIP THE BEET trademark and various copyrighted designs since 2011. LTTB’s
 7 products and trademark have tremendous popularity on Etsy, Pinterest, Instagram, Tumblr,
 8 Facebook and other social media and ecommerce websites. LTTB owns multiple United States
 9 Federal Trademark Registrations for the mark LETTUCE TURNIP THE BEET. LTTB and its
 10 founder and predecessor in interest have been the exclusive authorized seller of goods bearing the
 11 LETTUCE TURNIP THE BEET mark since 2011.

12 2. Since May 2013, LTTB’s founder and predecessor in interest Gorski, as well as her
 13 counsel, have sent multiple cease and desist communications to Redbubble demanding that it
 14 remove from its website goods for sale which infringe the LETTUCE TURNIP THE BEET mark.
 15 Redbubble has responded by representing that it has taken steps to police use of LTTB’s mark on
 16 its website. Despite this claim, Redbubble continues to market, manufacture and distribute
 17 multiple infringing goods. Thus, Redbubble’s production and sales of apparel and goods bearing
 18 counterfeit uses of the LETTUCE TURNIP THE BEET mark is intentional and is causing
 19 irreparable harm to LTTB.

20 NATURE OF THE CASE

21 3. This is an action for (a) trademark counterfeiting in violation of Section 32(1) of
 22 the Lanham Act, 15 U.S.C. section 1114(1); (b) infringement of a registered trademark in
 23 violation of Section 32(1) of the Lanham Act, 15 U.S.C. section 1114; and (c) unfair competition
 24 in violation of Section 43(a) of the Lanham Act, 15 U.S.C. section 1125(a).

25 THE PARTIES

26 4. Plaintiff LTTB is a limited liability company organized under the laws of the state
 27 of California with its address at 237 Kearny Street #9040, San Francisco, California.

1 5. Upon information and belief, Defendant Redbubble is a corporation organized
2 under the laws of the state of Delaware with its principal place of business at 633 Howard Street,
3 San Francisco, California.

JURISDICTION AND VENUE

5 6. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C.
6 section 1121 and 28 U.S.C. sections 1331 and 1338. Venue is proper within this district under the
7 provisions of 28 U.S.C. section 1391 because Redbubble has its principal place of business in this
8 judicial district.

9 7. Personal jurisdiction over Redbubble is proper in this district because has its
10 principal place of business in this district and has committed infringing acts in this district.

INTRA-DISTRICT ASSIGNMENT

12 8. This action is an intellectual property action within the meaning of Local Rule 3-
13 2(c) and therefore is not subject to intra-district venue provisions.

LTTB'S TRADEMARK RIGHTS

15 9. Gorski, the LTTB founder and predecessor in interest, graduated from the Fashion
16 Institute of Technology (“FIT”) in New York in 2007, winning the famed Critic’s Award as one of
17 the most promising designers in her class. She has taken advanced silkscreen classes at FIT and
18 the School of Visual Arts (SVA) from 2006 to 2013. She is a designer and artist who is widely
19 considered a master printer among her industry peers who have printed for Andy Warhol and
20 Robert Rauschenberg and is now a Critic for FIT. Gorski is also a former Peace Corps business
21 volunteer to rural West Africa prior to winning a Rotary World Peace Fellowship to complete her
22 graduate degree in Japan under the Rotary Foundation. In 2011, she created the LETTUCE
23 TURNIP THE BEET mark and her first apparel and product designs using the mark as both a
24 source identifier and as a graphic design element.

25 10. The LETTUCE TURNIP THE BEET mark is the subject of four trademark
26 registrations issued by the United States Patent and Trademark Office (the “USPTO”).

27 11. On March 5, 2013, the USPTO issued Registration Number 4,297,108 for the mark

1 LETTUCE TURNIP THE BEET for the following goods and services: "Paper for wrapping and
2 packaging"; "tote bags"; and "Wearable garments and clothing, namely, shirts." LTTB is the
3 owner of Registration No. 4,297,108. A true and correct copy of a printout from the USPTO
4 online database reflecting this registration is attached as Exhibit A.

5 12. On December 24, 2013, the USPTO issued Registration Number 4,454,801 for the
6 mark LETTUCE TURNIP THE BEET for the following goods and services: "On-line retail store
7 services featuring clothing, accessories and art." LTTB is the owner of Registration No.
8 4,454,801. A true and correct copy of a printout from the USPTO online database reflecting this
9 registration is attached as Exhibit B.

10 13. On October 18, 2016, the USPTO issued Registration Number 5,064,226 for the
11 word mark LETTUCE TURNIP THE BEET and the stylized text

12 **LETTUCE**
13 **TURNIP**
14 **THE BEET**

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16 for the following goods and services: "Tote bags"; and "Aprons; Headwear; Infant wear; Shirts for
17 infants, babies, toddlers and children; Wearable garments and clothing, namely, shirts." LTTB is
18 the owner of Registration No. 5,064,226. A true and correct copy of a printout from the USPTO
19 online database reflecting this registration is attached as Exhibit C.

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1 14. On October 18, 2016, the USPTO issued Registration Number 5,064,227 for the



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8 word mark LETTUCE TURNIP THE BEET and the stylized text
9 for the following goods and services: "Tote bags"; and "Aprons; Headwear; Infant wear; Shirts for
10 infants, babies, toddlers and children; Wearable garments and clothing, namely, shirts." LTTB is
11 the owner of Registration No. 5,064,227. A true and correct copy of a printout from the USPTO
12 online database reflecting this registration is attached as Exhibit D.

13 15. The marks reflected in these four registrations are referred to herein collectively as
14 the "LETTUCE TURNIP THE BEET Mark."

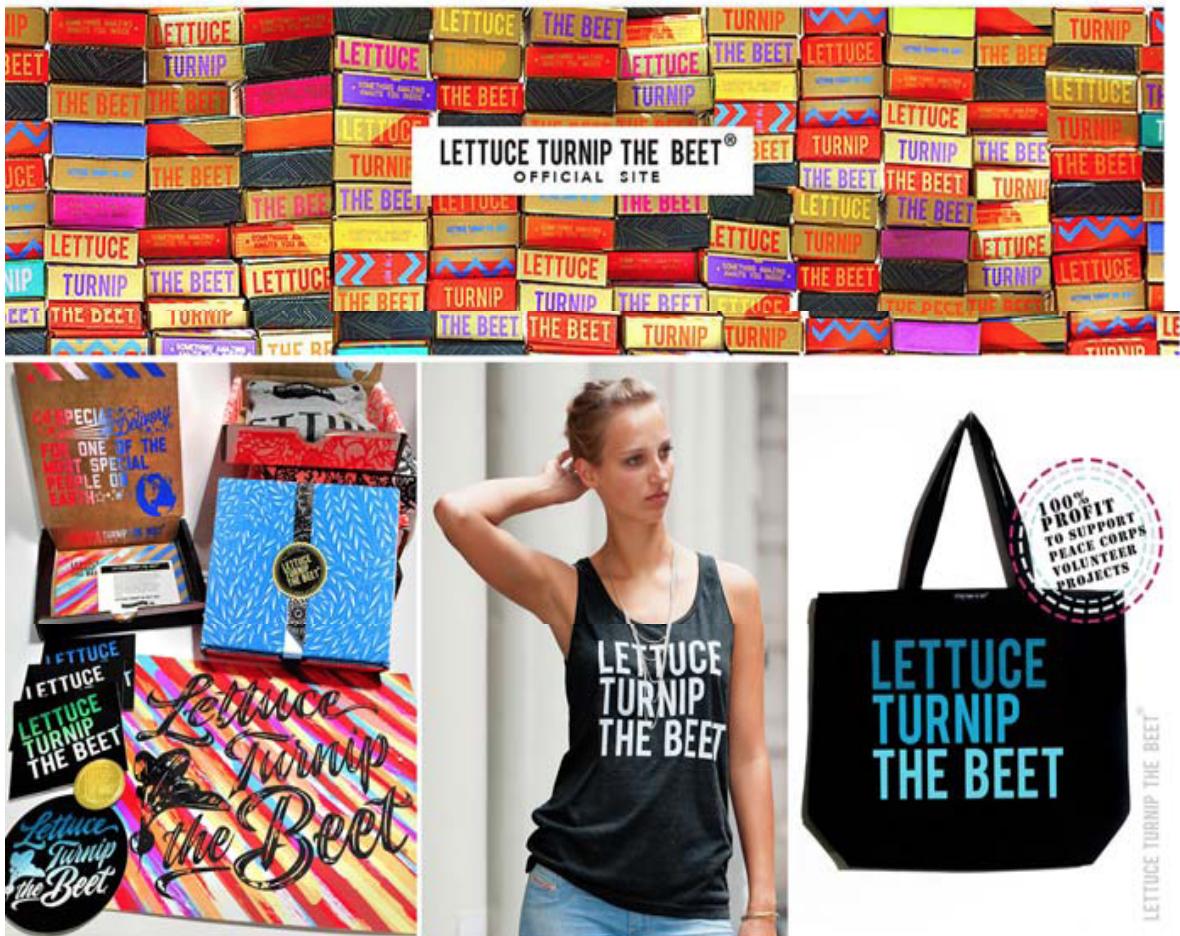
15 16. LTTB's goods and services sold under the LETTUCE TURNIP THE BEET Mark
16 have been offered in commerce since 2011, and these goods and services are well and favorably
17 known by the purchasing public, including many top celebrities.

18 17. When used together, the individual words of the LETTUCE TURNIP THE BEET
19 Mark are arbitrary and fanciful, and entitled to the highest level of protection.

20 18. LTTB has expended substantial time, effort and money in developing a brand
21 image based on the LETTUCE TURNIP THE BEET Mark. As a result, LTTB has received
22 overwhelming praise for and attention to the goods and services offered under the LETTUCE
23 TURNIP THE BEET Mark.

24 19. In or about August 2011, LTTB predecessor in interest Gorski began to sell
25 merchandise bearing the LETTUCE TURNIP THE BEET Mark on the following ecommerce
26 websites: Etsy.com ("Etsy") and Supermarkethq.com ("Supermarket"). The LETTUCE TURNIP
27 THE BEET Mark on a shirt, tote bag, paper goods and the main website is seen below:

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LETTUCE TURNIP THE BEET®

20. LTTB markets itself as “Especially popular with vegetarians, vegans, CSA members, Ag students, farmers, chefs, dietitians, juicing fanatics, graphic designers, advertising directors, animators, musical theatre folks, music industry execs, teachers, DJs, dancers, choreographers, yoga enthusiasts, musicians, musical festival attendees, gamers, geeks, hipsters, academics, and beet lovers!”

21. Indeed, the LETTUCE TURNIP THE BEET Mark has been popular in the food, music and art industries. For example, on August 26, 2012, well-known singer-songwriter Jason Mraz wore a t-shirt bearing the LETTUCE TURNIP THE BEET Mark at a concert. A true and accurate screenshot of Jason Mraz wearing the LETTUCE TURNIP THE BEET Mark is depicted below:



22. Similarly, as seen on Madonna's Facebook page, Rich Talauega, choreographer to Madonna and Chris Brown, wears a tank-top bearing the LETTUCE TURNIP THE BEET Mark at a rehearsal for the 2012 Super Bowl half-time show. A true and accurate screenshot of Rich Talauega wearing the LTTB Brand is depicted below:



1 23. In or about February 2013, *Pregnancy and Newborn* magazine featured LTTB's
2 baby organic bodysuit bearing the LETTUCE TURNIP THE BEET Mark in its magazine as a
3 recommended product.

4 24. In August 2013, Madison Hildebrand wore a t-shirt bearing the LETTUCE
5 TURNIP THE BEET Mark on *Million Dollar Listing Los Angeles*, a television series on Bravo. A
6 true and accurate screenshot of Madison Hildebrand wearing the LETTUCE TURNIP THE BEET
7 Mark is depicted below:



18 25. In December 2013, LTTB's LETTUCE TURNIP THE BEET-branded products
19 were featured as a top product in the 2013 Pinterest Holiday Gift Guide on Pinterest.com.

20 26. In June 2015, *DJ Mag* featured LTTB's shirts bearing the LETTUCE TURNIP
21 THE BEET Mark in its magazine as a recommended product.

22 27. In July 2015, Carole Radziwill wore a tank top prominently bearing the LETTUCE
23 TURNIP THE BEET Mark on the *Real Housewives of New York (RHONY)*, a television series on
24 Bravo. A true and accurate screen shot of Carole Radziwill wearing the LETTUCE TURNIP THE
25 BEET Mark is depicted below:



Shows ▾ Full Episodes The Daily Dish



13 28. As a result of LTTB's efforts, the LETTUCE TURNIP THE BEET Mark has
 14 become a social media sensation across the United States and the LETTUCE TURNIP THE BEET
 15 Mark has acquired secondary meaning.

16 29. To date, LTTB has expended tens of thousands of dollars in promoting, advertising
 17 and marketing the goods and services offered under the LETTUCE TURNIP THE BEET Mark.

18 30. Currently, LTTB has more than 14,000 admirers and has sold more than 30,000
 19 items on Etsy. LTTB's customers have given its goods and services a five-star rating, the highest
 20 rating available on the Etsy website.

21 31. LTTB has gone to great lengths to protect and enforce the LETTUCE TURNIP
 22 THE BEET Mark.

23 32. Since 2011, LTTB provided notice that the LETTUCE TURNIP THE BEET
 24 design, photos, and text in the online store are copyright protected by using the © or by providing
 25 written notification. Between 2012 and 2013, LTTB provided notice that the LETTUCE TURNIP
 26 THE BEET Mark was a trademark use by displaying LETTUCE TURNIP THE BEET™ in each
 27 online product listing, and/or by providing other written notice that the LETTUCE TURNIP THE

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1 BEET Mark is trademark and copyright protected. Since 2013, LTTB has provided notice that the
 2 LETTUCE TURNIP THE BEET Mark is federally-registered by displaying the letter R enclosed
 3 within a circle, thus ®, and/or by providing other written notice that the LETTUCE TURNIP THE
 4 BEET Mark is federally-registered. In addition, Redbubble had actual notice that the LETTUCE
 5 TURNIP THE BEET Mark is federally-registered as a result of the multiple cease and desist
 6 communications sent to Redbubble.

7 REDBUBBLE'S INFRINGING ACTIVITIES

8 33. Through its website, www.redbubble.com, Redbubble operates an online print-on-
 9 demand service through which customers purchase a wide variety of products imprinted with
 10 graphic designs offered on Redbubble's site.

11 34. Third-party users upload images to Redbubble's website, which then displays
 12 products that can be imprinted with uploaded designs. Third-party customers can then order items
 13 bearing the uploaded designs through Redbubble's site.

14 35. Among the products offered on Redbubble's website are those that compete
 15 directly with LTTB, including, without limitation, t-shirts, tote bags, and a wide variety of other
 16 goods.

17 36. On information and belief, Redbubble employs no technology or method to prevent
 18 a customer from uploading or creating a product design that infringes on the intellectual property
 19 rights of third-parties before the campaign is launched and the product is available for purchase on
 20 Redbubble's website.

21 37. The only step Redbubble takes to prevent infringement is through the posting of its
 22 "IP/Publicity Rights Policy" available on its website by clicking a link marked "copyright" in
 23 small print at the bottom of its home page. While Redbubble has eventually responded to some of
 24 LTTB's and/or its predecessor in interest's takedown notices submitted to Redbubble, on
 25 information and belief, Redbubble does not bar repeat infringers from creating campaigns and
 26 selling infringing products on the Redbubble website. Further, on information and belief,
 27 Redbubble has no policy or process in place to pre-screen potential new product designs for

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1 infringement of registered trademarks, or to allow trademark owners to block infringing product
2 designs before campaigns are launched.

3 38. Since May 2013, LTTB's founder and predecessor in interest, Gorski, has sent
4 repeated demand communications and takedown notices to Redbubble. Despite this, Redbubble
5 continues to fail to monitor its website and continues to sell and distribute goods that infringe the
6 LETTUCE TURNIP THE BEET Mark.

7 39. Attached as Exhibit E are 26 pages containing hundreds of infringing goods made
8 available for sale by Redbubble at various times since May 2013. Attached as Exhibit F are
9 images of the infringing goods available on Redbubble's website as of January 19, 2018.

10 40. Redbubble's unauthorized use of the LETTUCE TURNIP THE BEET Mark and its
11 blatant disregard for LTTB's intellectual property rights demonstrate that Redbubble's
12 infringement of the LETTUCE TURNIP THE BEET Mark is willful.

13 41. Redbubble's actions have caused and/or are likely to cause confusion, mistake, or
14 deception among the consuming public as to the source, origin or sponsor of the goods offered for
15 sale on Redbubble's website, and are likely to create the false belief that sales of such goods on
16 Redbubble's website are authorized by LTTB. As a result, Redbubble's actions are causing, and
17 unless enjoined, will continue to cause irreparable and substantial injury to the goodwill that
18 LTTB has developed in its LETTUCE TURNIP THE BEET Mark and brand.

19 42. Redbubble has been unjustly enriched by selling goods bearing counterfeit copies
20 of the LETTUCE TURNIP THE BEET Mark and its direct and vicarious infringement of the
21 LETTUCE TURNIP THE BEET Mark.

FIRST CLAIM FOR RELIEF

(Trademark Counterfeiting)

(15 U.S.C. § 1114)

25 43. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

26 44. Redbubble, without authorization from LTTB, has manufactured, distributed and
27 sold goods that display counterfeits or colorable imitations of LTTB's federally-registered

1 LETTUCE TURNIP THE BEET Mark on goods covered by LTTB's federal registrations for the
2 LETTUCE TURNIP THE BEET Mark

3 45. Redbubble's actions are intended to cause, have caused and are likely to continue to
4 cause confusion, mistake and deception among customers and potential customers as to whether
5 Redbubble's counterfeit goods originate from or are affiliated with, sponsored by, licensed by, or
6 endorsed by LTTB.

7 46. Redbubble has acted with actual knowledge of LTTB's federally-registered
8 trademarks and trademark rights and with a deliberate, willful intention to trade upon the customer
9 goodwill created and enjoyed by LTTB.

10 47. Redbubble's actions constitute trademark counterfeiting in violation of 15 U.S.C.
11 section 1114.

12 48. The goodwill of LTTB'S LETTUCE TURNIP THE BEET Mark is of enormous
13 value to LTTB, and LTTB is suffering and will continue to suffer irreparable harm should
14 Redbubble's unauthorized manufacturing, distribution and sales of counterfeit goods continue.

15 49. Redbubble's use of the LETTUCE TURNIP THE BEET Mark on counterfeit goods
16 has continued and will continue unless enjoined by this Court.

17 50. Redbubble is liable to LTTB for: (a) statutory damages in the amount of up to
18 \$2,000,000 for each mark counterfeited as provided by 15 U.S.C. section 1117(c), or, at LTTB's
19 election, an amount representing three times LTTB's damages and/or Redbubble's illicit profits
20 (in an amount to be proven at trial); and (b) reasonable attorneys' fees, investigative fees and
21 prejudgment interest pursuant to 15 U.S.C. section 1117(b).

22 51. LTTB is also entitled to preliminary and permanent injunctive relief against
23 Redbubble.

SECOND CLAIM FOR RELIEF

(Trademark Infringement)

(15 U.S.C. § 1114)

27 52. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

53. LTTB's LETTUCE TURNIP THE BEET Mark is protected by four valid and subsisting United States Trademark Registrations.

54. LTTB's registered LETTUCE TURNIP THE BEET Mark has acquired secondary meaning. Purchasers associate the LETTUCE TURNIP THE BEET Mark only with LTTB's apparel, merchandise, and online storefront. This is a result of extensive advertising, social media interest and sales throughout the United States of goods and services bearing the LETTUCE TURNIP THE BEET Mark.

55. Redbubble, by using the LETTUCE TURNIP THE BEET Mark in connection with the advertisement, distribution and sale of apparel, merchandise, and its online storefront, have used and intend to continue to use, in commerce an imitation of the LETTUCE TURNIP THE BEET Mark in connection with the advertisement, distribution and sale of apparel, merchandise, and an online storefront in a manner that is likely to cause confusion, mistake or deception.

56. By committing the acts alleged herein, Redbubble has intentionally, knowingly and willfully infringed the registered LETTUCE TURNIP THE BEET Mark, and Redbubble continues to do so.

57. Because of Redbubble's infringement, LTTB has been irreparably harmed. LTTB will continue to suffer irreparable harm unless Redbubble is preliminarily and permanently restrained from infringing the LETTUCE TURNIP THE BEET Mark.

58. LTTB is entitled to recover all profits heretofore realized by Redbubble during its infringement of the LETTUCE TURNIP THE BEET Mark, as well as LTTB's costs in this action pursuant to 15 U.S.C. section 1117(a).

59. Redbubble's actions have been willful, malicious and fraudulent with knowledge of the likelihood of confusion and deception and with intent to confuse and deceive, as alleged above. Therefore, LTTB is entitled to recover three times the amount of Redbubble's profits plus LTTB's reasonable attorneys' fees pursuant to 15 U.S.C. section 1117(b).

THIRD CLAIM FOR RELIEF

(Unfair Competition and False Designation of Origin)

1 (15 U.S.C. § 1125(a))

2 60. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

3 61. LTTB, for many years and long prior to the acts of Redbubble herein complained
4 of, has marketed its goods and online storefront under the LETTUCE TURNIP THE BEET Mark.

5 62. Redbubble has copied LTTB's LETTUCE TURNIP THE BEET Mark. As a
6 result, Redbubble's marketing and sale of apparel and merchandise, and/or its online storefront
7 under the LETTUCE TURNIP THE BEET Mark is likely to deceive and cause confusion to the
8 purchasing public and to induce them to believe that Redbubble or its goods or services are in
9 some manner related to, approved by or sponsored by LTTB; alternatively, Redbubble's
10 marketing and sale of apparel and merchandise, and/or its online storefront under the LETTUCE
11 TURNIP THE BEET Mark is likely to deceive and cause confusion to the purchasing public and
12 to induce them to believe that LTTB's goods or services are in some manner related to, approved
13 by or sponsored by Redbubble. Redbubble has intentionally engaged in conduct that constitutes a
14 false designation of origin, a false or misleading description of fact, and a false or misleading
15 representation of fact tending wrongfully and falsely to describe or represent a connection or
16 affiliation between LTTB's goods and services and Redbubble's goods and services in violation of
17 15 U.S.C. section 1125(a). LTTB believes that customers are likely to be confused by
18 Redbubble's use of such false designations of origin, and false descriptions or representations
19 regarding LTTB's goods and Redbubble's goods.

20 63. By committing the acts alleged herein, Redbubble has intentionally, knowingly and
21 willfully infringed the LTTB's mark, and Redbubble continues to do so.

22 64. Because of Redbubble's infringement, LTTB has been irreparably harmed. LTTB
23 will continue to suffer irreparable harm unless Redbubble is preliminarily and permanently
24 restrained from infringing the LETTUCE TURNIP THE BEET Mark.

25 65. LTTB is entitled to recover all profits heretofore realized by Redbubble during its
26 infringement of the LETTUCE TURNIP THE BEET Mark, as well as LTTB's costs in this action
27 pursuant to 15 U.S.C. section 1117(a).

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1 66. Redbubble's actions have been willful, malicious and fraudulent with knowledge of
2 the likelihood of confusion and deception and with intent to confuse and deceive, as alleged
3 above. Therefore, LTTB is entitled to recover three times the amount of Redbubble's profits plus
4 LTTB's reasonable attorneys' fees pursuant to 15 U.S.C. section 1117(b).

FOURTH CLAIM FOR RELIEF

(Contributory Trademark Infringement)

(15 U.S.C. §§ 1114 & 1125(a))

8 67. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

9 68. Redbubble manufactures, distributes, advertises, and sells infringing and
10 counterfeit goods created by unnamed third parties.

69. In view of the numerous notices provided to Redbubble by LTTB, Redbubble
knows that its customers are creating infringing and counterfeit goods which Redbubble is
manufacturing, distributing, advertising, and selling.

14 70. Redbubble is liable for contributory trademark infringement through its actions
15 manufacturing, distributing, advertising, and selling products that it knows bear infringing and
16 counterfeit goods, and through its refusal to deny access to its website to such serial infringers and
17 counterfeiters despite repeated notice.

PRAYER FOR RELIEF

20 WHEREFORE, LTTB prays that this Court enter judgment in its favor on each and every
21 claim for relief set forth above and award it relief including, but not limited to, the following:

22 1. That Redbubble be adjudged to have manufactured, distributed, advertised, and
23 sold goods infringing the registered LETTUCE TURNIP THE BEET Mark, in violation of federal
24 law;

25 2. That all goods, documents, advertising, packaging and any other materials
26 infringing the LETTUCE TURNIP THE BEET Mark in the possession, custody or control of
27 Redbubble be seized:

1 3. That Redbubble be adjudged to have willfully and deliberately infringed the
2 registered LETTUCE TURNIP THE BEET Mark, in violation of federal law;

3 4. That Redbubble be adjudged to have competed unfairly with LTTB by its
4 infringing use of the LETTUCE TURNIP THE BEET Mark, in violation of federal law;

5 5. That Redbubble and its officers, agents, owners, employees, confederates, attorneys
6 and any persons in active concert or participation with them be temporarily, preliminarily and
7 permanently enjoined and restrained from:

8 a) Using the LETTUCE TURNIP THE BEET Mark, or any other confusingly
9 similar mark including, without limitation, LETTUCE TURNIP THE BEET, and/or any
10 reproduction, copy or colorable imitation of said mark, in connection with the advertising,
11 manufacturing, offering for sale, distribution or sale of apparel or any other goods or
12 services that are not authorized by LTTB;

13 b) Using the LETTUCE TURNIP THE BEET Mark or any other confusingly
14 similar mark including, without limitation, LETTUCE TURNIP THE BEET, and/or any
15 other mark including any reproduction, copy or colorable imitation of said mark on goods
16 or in its online storefront in any manner likely to cause others to believe that any of
17 Redbubble's goods or services are made by, distributed by, associated or connected with
18 LTTB's goods or services;

19 c) Committing any other acts calculated to cause actual or potential purchasers
20 to be confused regarding the source or sponsor of Redbubble's and/or LTTB's goods
21 and/or services; and

22 d) Assisting, aiding or abetting any supplier, distributor or any other person or
23 business entity in engaging in or performing any of the activities referred to in the above
24 subparagraphs a through d;

25 6. That Redbubble be ordered to deliver to LTTB all materials that infringe LTTB's
26 LETTUCE TURNIP THE BEET Mark;

27 7. That Redbubble be ordered to advise LTTB of the identity of all customers,

suppliers, distributors and manufacturers of Redbubble's goods that infringe LTTB's LETTUCE TURNIP THE BEET Mark;

3 8. That Redbubble be ordered to advise all customers, suppliers, distributors and
4 manufacturers that Redbubble's goods or services infringing the LETTUCE TURNIP THE BEET
5 Mark were not manufactured, licensed, authorized or distributed by LTTB, and that any such
6 goods sold or distributed by Redbubble may be returned to Redbubble in any condition for a full
7 refund, and that Redbubble shall make such refund and maintain all records relating to such recall
8 notices and refunds;

9 9. That Redbubble be required to pay to LTTB such damages LTTB has sustained as
10 a consequence of its counterfeiting and infringement of the LETTUCE TURNIP THE BEET Mark
11 and to account for all gains, profits and advantages derived by Redbubble from the sale of its
12 infringing merchandise bearing the LETTUCE TURNIP THE BEET Mark, and that the award to
13 LTTB be trebled as provided for under 15 U.S.C. section 1117; alternatively, that LTTB be
14 awarded statutory damages pursuant to 15 U.S.C. section 1117(c) of up to \$2,000,000 for each
15 trademark that Redbubble has willfully counterfeited and infringed;

16 10. For an award of three times the amount of Redbubble's profits and LTTB's
17 reasonable attorneys' fees pursuant to 15 U.S.C. section 1117(b);

11. For an award of compensatory damages;

19 || 12. For an award of punitive damages;

20 13. For an award of costs; and

21 14. For all other relief the Court deems just and proper.

Dated: January 23 2018

SKAGGS FAUCETTE LLP

By: _____ /s/
Jeffrey E. Faucette
Attorneys for Plaintiff LTTB LLC

JURY TRIAL DEMANDED

Pursuant to Rule 38(a) of the Federal Rules of Civil Procedure, Plaintiff demands trial by jury of all issues properly triable of right by a jury.

Dated: January 23, 2018

SKAGGS FAUCETTE LLP

By: _____ /s/
Jeffrey E. Faucette
Attorneys for Plaintiff LTTB LLC